

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : APODACA et al. Confirmation No.: 3740  
Serial No. : 10/690,115 Art Unit: 1624  
Filed : 10/21/2003 Examiner: B.L. Coleman  
For : PIPERAZINYL AND DIAZAPANYL BENZAMIDES AND  
BENZTHIOAMIDES

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November 21, 2006

(Date of Deposit)

Joseph S. Kentoffio

(Name of applicant, assignee, or Registered Representative)

/Joseph S. Kentoffio, Reg. No. 33,189/

(Signature)

November 21, 2006

(Date of Signature)

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Alexandria, VA 22313-1450

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure  
Statement mailed on August 31, 2006, August 26, 2005, April 30,  
2004 and January 27, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37  
C.F.R. §§1.97-1.98, information relating to the above-  
identified application is hereby disclosed. Inclusion of  
information in this statement is not to be construed as an  
admission that this information is material as that term is  
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the  
patentability of the claimed invention over any of the

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☒ Please charge Deposit Account No. 10-0750/PRD2033/JSK the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: Japanese Patent No. **Hei 10-59954** is provided along with an English-language translation (in its entirety). **WO 2005/035534** is in Japanese. See the English-language summary on the patent. An English-language translation of the claims is also provided. **AUGUSTIN et al.** article is in German. Look to the figures for relevance. **HIRT et al.** article is in German. Look to the English-language summary and figures found throughout the article for relevance. **NAKAMURA et al.** article is in Japanese. Look to the English-language abstract, figures and tables found throughout the article for relevance.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to  
Deposit Account No. 10-0750/PRD2033/JSK. This form is  
submitted in triplicate.

Respectfully submitted,

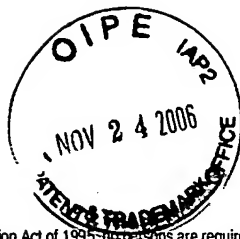
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PTO/SB/08A (08-00)  
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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary) Sheet 1 of 2	<b>Confirmation Number</b>	3740
	<b>Application Number</b>	10/690,115
	<b>Filing Date</b>	10/21/2003
	<b>First Named Inventor</b>	Richard Apodaca
	<b>Group Art Unit</b>	1624
	<b>Examiner Name</b>	Brenda L. Coleman
	<b>Attorney Docket Number</b>	PRD2033USNP

#### U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,464,788	A	Bock et al.	11-07-1995	
		5,569,659	A	Reitz	10-29-1996	
		5,681,954	A	Yamamoto et al.	10-28-1997	
		5,883,096	A	Lowe et al.	03-16-1999	
		5,900,422	A	Ali	05-04-1999	

#### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup> Kind Code <sup>5</sup>	Number <sup>4</sup>					
		EP	06245 84	B1	Daiichi Pharmaceutical Co., Ltd.	08-19-1998	see US Patent 5,681,954	
		JP	Hei 10- 59954		Takeda Pharmaceutical Co., Ltd.	03-03-1998		X
		WO	93/046 84	A1	McNeilab, Inc.	03-18-1993	see p. 40, Table 4, compound 11	
		WO	05/035 534	A1	Ono Pharmaceutical Co., LTD	04-21-2005	see English- translated claims	X

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>Attorney Docket Number</b>	PRD2033USNP

[illegible]

Examiner Signature		Date Considered	
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